

REMARKS

Claims 1-8, 10, 12-21, 23-25, and 27-34 are pending in the present application. By this response, claims 1, 8, 12-14, 21, 24, and 25 are amended. Reconsideration of the claims is respectfully requested.

I. 35 U.S.C. § 101

The Office Action has rejected claims 24 and 25 under 35 U.S.C. § 101 as being directed towards non-statutory subject matter. By this response, claims 24 and 25 are amended to recite a computer program product in a computer readable recording medium for managing information.

Therefore, Applicants respectfully submit that independent claims 24 and 25 are statutory. Thus, Applicants respectfully request withdrawal of the rejection of claims 24 and 25 under 35 U.S.C. § 101.

II. 35 U.S.C. § 102, Alleged Anticipation

The Office Action rejects claims 1, 8, 12, 13, 14, 21, 24 and 25 under 35 U.S.C. § 102(e) as being anticipated by Fischer (U.S. Publication No. 2002/0010638 A1). This rejection is respectfully traversed.

As to claim 1, the Office Action states:

As to claim 1, Fischer teaches a method in a data processing system (see FIG 1) for managing information (I.e., e-commerce sales) comprising:

receiving information from a plurality of users; (see FIG 1. The users are buyers who input information in the form of orders for goods. Multiple users reside in the system.)

storing information to form stored information (the order from the user is stored information stored at the user's computer and is sent by e-mail to the vendor. See steps 52 and 54 in FIG 4)

receiving a request to remove selected information from the stored information from a user within the set of users (step 64 in FIG 4, "review order"), wherein the selected information is received in response to a

transaction involving the user (the selected information derives from a user order, which is readable as a transaction by the user)

responsive to receiving the request, determining if the selected information is no longer required for the transaction (step 66 in FIG 4, decision is made to augment or change order, which includes deleting items, see page 3, column 1, line 8)

responsive to the selected information no longer being required for the transaction, removing the selected non-required information about the stored information (step 68 in FIG 4, modify the order)

The elements of claims 8, 12, 13, 14, 21, 24 and 25 are rejected in the analysis above and these claims are rejected on that basis.

Office Action dated August 8, 2005, page 3.

Claim 1, which is representative of the other rejected independent claims 12, 14, and 24 with regard to similarly recited subject matter, reads as follows:

1. A method in a data processing system for managing information, the method comprising:
 - receiving information from a plurality of users;
 - storing the information to form stored information;
 - receiving a request to remove selected information from the stored information from a user within the set of users, wherein the selected information is received in response to a transaction involving the user;
 - responsive to receiving the request, determining by the data processing system if the selected information is no longer required for the transaction; and
 - responsive to the selected information no longer being required for the transaction, removing by the data processing system the selected non-required information from the stored information.

A prior art reference anticipates the claimed invention under 35 U.S.C. § 102 only if every element of a claimed invention is identically shown in that single reference, arranged as they are in the claims. *In re bond*, 910 F.2d 831, 832, 15 U.S.P.Q.2d 1566, 1567 (Fed Cir. 1990). All limitations of the claimed invention must be considered when determining patentability. *In re Lowry*, 32 F.3d 1579, 1582, 21 U.S.P.Q.2d 1031, 1034 (Fed Cir. 1994). Anticipation focuses on whether a claim reads on the product or process a prior art reference discloses, not on what the reference broadly teaches. *Kalman v. Kimberly-Clark Corp.*, 713 F.2d 760, 218 U.S.P.Q. 781 (Fed. Cir. 1983). Applicants respectfully submit that Fischer does not teach every element of the claimed invention arranged as they are in the claims. Specifically, Fischer does not teach determining by the data processing system if the selected information is no longer required for the

transaction responsive to receiving the request to remove selected information from the stored information, and responsive to the selected information no longer being required for the transaction, removing by the data processing system the selected non-required information from the stored information.

Fisher is directed to performing e-commerce transactions between a user and a vendor, including creating an order list in an off-line environment, sending the order list to the vendor, making the order list available to the user through a real-time connection with the vendor, establishing a real-time connection between the user and the vendor and enabling the user to review and approve the order list during the real-time connection.

Fisher does not teach determining by the data processing system if the selected information is no longer required for the transaction responsive to receiving the request to remove selected information from the stored information. The Office Action alleges this feature is taught by Fisher at step 66 in Figure 4, and the corresponding description on page 3, column 1, line 8, which are shown as follows:

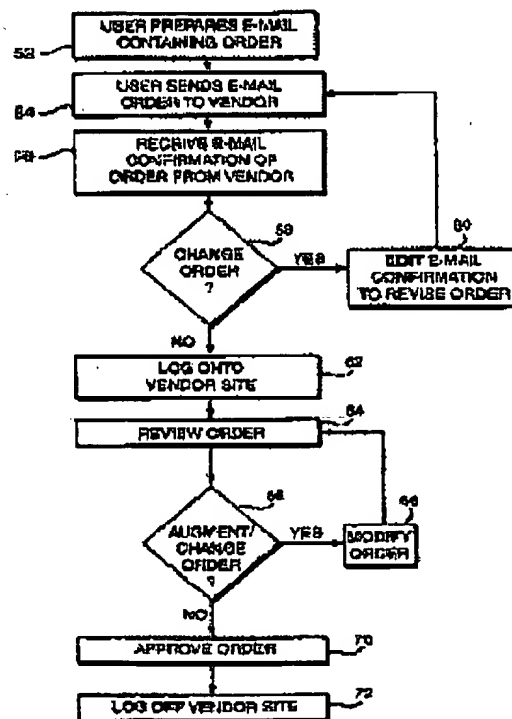


Fig. 4

(Figure 4)

[0022] FIG. 4 shows a more detailed embodiment of the invention as compared to FIG. 3. In this embodiment, the user prepares an e-mail containing an order (step 52), and then sends the e-mail order to the vendor (step 54). The vendor then sends an e-mail confirmation to the user which contains the original order for review by the user (step 56). The user can then change the order, if desired (step 58) by, for example, editing the e-mail confirmation to revise the order (step 60). The revised order is then sent back to the vendor (step 54) and another e-mail confirmation is received (step 56). If upon review of the confirmation by the user, no changes are desired, the user logs onto the vendor site (step 62) where the order is available for the user to again review (step 66). At this stage, the user is preferably given the option of augmenting or further changing the order. For example, the user may want to add additional items to the list or delete items from the list while on-line. Thus, the user can modify the order (step 68) and again review the order to assure that it is acceptable (step 64). If no further changes are desired the user approves the order while on-line (step 70). The approval process may be similar to a conventional "check out" process used on vendor sites. Once the order is approved, the user logs off the vendor site (steps 72). The vendor then has the approved order and begins processing of the order in a conventional manner for ultimate delivery to the user.

(Paragraph 22, which includes page 3, column 1, line 8)

In this paragraph, Fisher describes that a user is able to review an order and if the user determines that a change is to be made to the order, the user is preferably given the option of augmenting or further changing the order. The user may then add additional items to the list or delete items from the list while on-line. Then the user resubmits the order to the vendor. Fisher does not teach a data processing system that determines if the selected information is no longer required for the transaction. Rather, Fisher relies on a user to determine if the information is no longer necessary. The vendor's online system merely accepts any changes that the user makes.

Additionally, Fisher does not teach removing by the data processing system the selected non-required information from the stored information responsive to the selected information no longer being required for the transaction. The Office Action alleges that this feature is taught at step 68 in Figure 4, shown above. In this section, Fisher describes that the user can modify the order and again review the order to assure that it is acceptable. Thus, the user of Fisher is determining the information to remove from the order. The data processing system in the presently claimed invention removes the

selected non-required information from the stored information in response to the selected information no longer being required for the transaction. Again, Fisher's online vendor system merely accepts any changes that the user makes.

Independent claims 8, 13, 21, and 25 recite similar features in their respective claim terminology. For example, claim 8, which is representative of the other rejected independent claims 13, 21, and 25 with regard so similarly recited subject matter, recites "determining by the data processing system that the stored information is unnecessary to the business transaction in response to receiving the request; and removing by the data processing system the stored information in response to the stored information no longer being necessary to the business transaction."

Thus, Fisher does not teach all of the features in independent claims 1, 8, 12-14, 21, 24, and 25 as is required under 35 U.S.C. § 102. Accordingly, Applicants respectfully request withdrawal of the rejection of claims 1, 8, 12-14, 21, 24, and 25 under 35 U.S.C. § 102.

Furthermore, Fisher does not teach, suggest or give any incentive to make the needed changes to reach the presently claimed invention. Absent the Examiner pointing out some teaching or incentive to implement Fisher such that a data processing system determines if the selected information is no longer required for the transaction, responsive to receiving a request to remove selected information from the stored information and the data processing system removes the selected non-required information from the stored information responsive to the selected information no longer being required for the transaction, one of ordinary skill in the art would not be led to modify Fisher to reach the present invention when the reference is examined as a whole. Absent some teaching, suggestion or incentive to modify Fisher in this manner, the presently claimed invention can be reached only through an improper use of hindsight using the Applicants' disclosure as a template to make the necessary changes to reach the claimed invention.

III. Objection to Claims

The Office Action has stated that claims 2-7, 10, 15-20, 23 and 27-34 were objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Applicants thank Examiner Amsbury for indicating claims 2-7, 10, 15-20, 23, and 27-34 to be allowable. However, for the reasons stated above, Applicants respectfully submit that all of the claims are directed to allowable subject matter and the application is in condition for allowance.

IV. Conclusion

It is respectfully urged that the subject application is patentable over the prior art of record and is now in condition for allowance. The Examiner is invited to call the undersigned at the below-listed telephone number if in the opinion of the Examiner such a telephone conference would expedite or aid the prosecution and examination of this application.

Respectfully submitted,

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